

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the outstanding grounds of objection and/or rejection are respectfully requested in light of the above amendments and remarks that follow.

At the outset, applicant gratefully acknowledges the Examiner's indication that claims 18-28 have been allowed and that claims 5, 6 and 10-13 contain allowable subject matter. Note that claim 26 has been amended to correct a typographical error in the previous response where claim 26 was inadvertently made dependent upon claim 8. The amendment here corrects that error to make the claim dependent from claim 18 as originally presented.

By this Amendment, applicant has amended independent claim 1 to incorporate the limitations of allowable claim 5, thereby placing claim 1 in condition for allowance. In addition, dependent claims 6, 7, 11, 12 and 13 have been amended merely for the sake of maintaining consistency with the language in amended claim 1. Dependent claim 5 has been canceled. With this Amendment, independent claim 1 as well as dependent claims 2-4 and 6-17, all of which ultimately depend from claim 1, are now in condition for allowance.

In light of the Amendment of claim 1 to incorporate the subject matter of dependent claim 5, no discussion of the prior art grounds of rejection set forth in the official action are required.

With respect to the non-statutory obviousness type double patenting rejection, applicant submits herewith a Terminal Disclaimer limiting the term of any patent that issues from this application to the term of commonly owned U.S. Patent No. 6,644,247. Accordingly, the double patenting grounds of rejection as set forth on pages 2 and 3 of the Official Action has also been overcome.


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December 12, 2005

It is respectfully that the application is now in condition for immediate allowance and early passage to issue is requested. In this regard, entry of the Amendment is fully consistent with 37 C.F.R. § 1.116(b), in that the Amendment clearly places the application in condition for immediate allowance.

Should any small matters remain outstanding, the Examiner is encouraged to telephone the undersigned so that the prosecution of this application can be expeditiously concluded.

Respectfully submitted,

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